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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	D.C. No. CR 05-00117-PHJ
)	(San Francisco)
Plaintiff,)	
vs.)	[PROPOSED] ORDER TO
)	REVISE BRIEFING
DAVID DOMINGUEZ, ET AL.)	SCHEDULE FOR WIRETAP
)	MOTION AND FINDING
Defendant.)	EXCLUDABLE TIME
_____)	Judge: Hon. Phyllis J. Hamilton

For good cause shown as stated in the Stipulation to Revise the Briefing Schedule, IT IS HEREBY ORDERED that:

(A) the briefing schedule for the defendants' motion to suppress the results of the wiretap and other substantive motions is revised as follows:

1. The defendants shall file the wiretap motion and other dispositive motions by Wednesday, October 12, 2005;
2. The government opposing brief shall be filed by Friday, October 28;
3. The defendants' reply brief shall be filed by Monday November 7;
4. The motions hearing shall be held on November 16, 2005 at 2:30 p.m; and

1 5. All the briefs shall be served by overnight delivery or facsimile, and all
2 three defendants shall attend the hearing unless otherwise ordered.

3 (B) The Court hereby finds that a modification of the briefing schedule and
4 hearing date is needed for defense counsel's effective preparation of the pretrial
5 motion(s), such that the ends of justice are served by granting the above continuance,
6 and that the ends of justice outweigh the interest of the public and the defendant in a
7 speedy trial. Therefore, the Court further finds that failure to grant the continuance
8 would deny the defendants reasonable time necessary for effective preparation,
9 taking into account to exercise of due diligence, pursuant to the Speedy Trial Act, 18
10 U.S.C. §3161(h)(8)(B)(iv). According, the Court finds excludable time from the
11 prior filing deadline, September 21, 2005, until October 12, 2005, pursuant to the
12 Speedy Trial Act, 18 U.S.C. §3161 (h)(8)(B)(iv).

13
14 DATED: September ⁶__, 2005



PHYLLIS J. HAMILTON
U.S. District Court